

1 JOHN A. RUSSO, City Attorney - State Bar #129729
RANDOLPH W. HALL, Chief Assistant City Attorney - State Bar #080142
2 WILLIAM E. SIMMONS, Supervising Trial Attorney - State Bar #121266
ARLENE M. ROSEN, Senior Deputy City Attorney - State Bar #100160
3 One Frank H. Ogawa Plaza, 6th Floor
Oakland, California 94612
4 Telephone: (510) 238-6392 Fax: (510) 238-6500
24596/419429

5 Attorneys for Defendants
6 City of Oakland, Francisco Rojas
Michael Cardoza and James Kelly
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8
9 **UNITED STATES DISTRICT COURT**
10 **NORTHERN DISTRICT OF CALIFORNIA**

11 UGANDA KNAPPS,
12

13 Plaintiff,

14 vs.

15 CITY OF OAKLAND; FRANCISCO ROJAS,
MICHAEL CARDOZA, and JAMES KELLY,
16 individually and/or acting in their capacities as
law enforcement officers for the City of
Oakland, DOES 1-100, inclusive,
17

18 Defendants.

Case No. C-05-2935-MEJ

**STIPULATION AND ~~PROPOSED~~
ORDER RE: PLAINTIFF'S KAISER
HOSPITAL, PERMANENTE MEDICAL
GROUP, ALAMEDA COUNTY
MEDICAL CENTER, KUN
CHIROPRACTIC AND UNINSURED
EMPLOYER'S FUND RECORDS AND
BILLING STATEMENTS**

Trial Date: October 17, 2007

19 THE PARTIES, BY AND THROUGH THEIR RESPECTIVE COUNSEL, DO
20 HEREBY STIPULATE AND AGREE that Plaintiff Uganda Knapps' Kaiser Hospital,
21 Permanente Medical Group and Alameda County Medical Center Records obtained
22 pursuant to subpoenas executed October 11, 2005 and September 9, 2005, respectively;
23 Kun Chiropractic records; the billing records for Plaintiff's treatment by Kaiser Permanente
24 Medical Group, Alameda County Medical Center and Kun Chiropractic; and the
25 compromise of Dr. Kun's billing by the State of California Uninsured Employer's Fund,
26 shall not constitute hearsay as set forth in F.R.E. 803; that said records shall be deemed

1 authenticated pursuant to F.R.E. 901; and that neither side shall be required to call any
2 witnesses at trial to testify about the authenticity of these records as a prerequisite to their
3 being admitted into evidence.

4 THE PARTIES FURTHER STIPULATE AND AGREE that both sides retain
5 and reserve the right to comment on this evidence, present argument about its meaning,
6 weight and/or importance, and shall retain all other objections they may have about said
7 evidence, including but not limited to its relevance.

8 IT IS SO STIPULATED:

9 DATED: October 5, 2007

OFFICE OF THE CITY ATTORNEY OF OAKLAND

10 By: Arlene M. Rosen

11 ARLENE M. ROSEN

12 Attorney for Defendants

13 City of Oakland, Francisco Rojas

14 Michael Cardoza and James Kelly

15 DATED: October 5, 2007

LAW OFFICES OF JAMES B. CHANIN

16 By: Julie M. Houk

17 JULIE M. HOUK

18 Attorneys for Plaintiff

19 Uganda Knapps

20 ORDER

21 PURSUANT TO STIPULATION,
22 IT IS SO ORDERED:

23 DATED: October 10, 2007

24 MARIA-ELENA

25 United States Magistrate Judge



26 STIPULATION AND ~~PROPOSED~~
ORDER RE: PLAINTIFF'S KAISER
HOSPITAL, PERMANENTE MEDICAL
GROUP AND ALAMEDA COUNTY
MEDICAL CENTER RECORDS